

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First  
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Tuesday, February 19, 1963

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Roy W. Moody of Gardiner.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

The SPEAKER: The Speaker at this time would like to recognize in the balcony of the House twelve members of the Lucky Star 4-H of Farmingdale, accompanied by their leader, Mrs. Thelma Goggin, who is the daughter of Mrs. Eye, Clerk of the Committee on Municipal Affairs. These ladies are the guests of Representative Shaw of Chelsea.

The Chair on behalf of the House extends to you a warm and cordial welcome, and we trust that you will enjoy and profit by your stay with us here today. (Applause)

**Papers from the Senate**

From the Senate:

Bill "An Act Requiring Liability Insurance for Liquor Licensees" (S. P. 453) (L. D. 1281)

Came from the Senate referred to the Committee on Liquor Control.

In the House, referred to the Committee on Liquor Control in concurrence. (Later reconsidered.)

From the Senate:

Bill "An Act relating to Transportation of Household Goods for Hire by a Common Carrier" (S. P. 455) (L. D. 1282)

Came from the Senate referred to the Committee on Public Utilities.

In the House, referred to the Committee on Public Utilities in concurrence.

From the Senate:

Bill "An Act Providing for Tax Sheltered Annuities for Employees of School Administrative Units" (S. P. 456) (L. D. 1283)

Bill "An Act relating to State Police Retirement Benefits under

the Maine State Retirement System" (S. P. 457) (L. D. 1284)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act relating to Catching of Lobsters by Skindivers" (S. P. 458) (L. D. 1285)

Came from the Senate referred to the Committee on Sea and Shore Fisheries.

In the House, referred to the Committee on Sea and Shore Fisheries in concurrence.

From the Senate:

Bill "An Act Adding the Suspension or Revocation of Licenses of Official Inspection Stations to the Administrative Code" (S. P. 459) (L. D. 1286)

Bill "An Act Increasing Membership on Highway Commission" (S. P. 460) (L. D. 1287)

Bill "An Act Revising the Laws Relating to Registration of Physicians and Surgeons, and Medical Education" (S. P. 461) (L. D. 1288)

Bill "An Act relating to Salaries Fixed by Governor and Council" (S. P. 462) (L. D. 1289)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate:

Bill "An Act relating to Annual Excise Tax on Railroads" (S. P. 463) (L. D. 1290)

Bill "An Act relating to Excise Tax on Motor Vehicles Owned by Domestic Corporations, Partnerships and Charitable Institutions" (S. P. 464) (L. D. 1291)

Came from the Senate referred to the Committee on Taxation.

In the House, referred to the Committee on Taxation in concurrence.

From the Senate:

Bill "An Act Increasing Salaries of Officials of Piscataquis County" (S. P. 465) (L. D. 1292)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Bill "An Act relating to Definition of and Educational Assistance for Orphans of Veterans" (S. P. 466) (L. D. 1293)

Came from the Senate referred to the Committee on Veterans and Military Affairs.

In the House, referred to the Committee on Veterans and Military Affairs in concurrence.

From the Senate:

Bill "An Act relating to Loss of Pauper Settlement" (S. P. 467) (L. D. 1294)

Came from the Senate referred to the Committee on Welfare.

In the House, referred to the Committee on Welfare in concurrence.

#### Senate Reports of Committees Ought to Pass

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act relating to Weights and Measures of Commodities" (S. P. 132) (L. D. 410)

Report of the Committee on Business Legislation reporting same on Bill "An Act to Incorporate The Maine Association of Life Underwriters, Incorporated" (S. P. 238) (L. D. 612)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

#### Non-Concurrent Matter

Bill "An Act relating to Number of Catch of Fish in Aroostook County" (S. P. 34) (L. D. 27) which was passed to be engrossed in concurrence in the House on January 31.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

#### Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Registration of Sanitarians" (H. P. 833) (L. D. 1220) which was referred to the Committee on State Government in the House on February 7.

Came from the Senate referred to the Committee on Health and Institutional Services in non-concurrence.

In the House: On motion of Mr. Berry of Cape Elizabeth, tabled pending further consideration and specially assigned for tomorrow.

The following Communication:

STATE OF MAINE  
SENATE CHAMBER  
Augusta

February 12, 1963

Hon. Harvey R. Pease  
Clerk of the House of Representatives  
101st Legislature

Sir:

The President of the Senate today appointed as Senate members to the Joint Select Committee to Study the Functioning of the Department of Economic Development:

Senators:

NOYES of Franklin  
LOVELL of York  
KIMBALL of Hancock

Respectfully,

(Signed)

CHESTER T. WINSLOW  
Secretary of the Senate

The Communication was read and ordered placed on file.

#### Orders

On motion of Mrs. Shaw of Chelsea, it was

ORDERED, that Eleanor Kent of Benton and Martha Taylor of Benton be appointed to serve as honorary Pages for today.

The SPEAKER: Eleanor Kent of Benton is the daughter of Representative Charles Kent of Benton and she is a junior at Lawrence High School in Fairfield, and Martha Taylor of Benton is a junior at Plymouth Teachers College, New Hampshire. Will the Sergeant-at-Arms conduct these two young ladies to the rostrum to act as Hon-

orary Pages for the day? (Applause)

At this point, the Misses Eleanor Kent and Martha Taylor were escorted to the well of the Hall of the House by the Sergeant-at-Arms.

On motion of Mr. Crockett of Freeport, it was

ORDERED, that Wednesday, March 13, 1963, be designated as "Welcome Back Day" in the House of Representatives;

AND BE IT FURTHER ORDERED, that all former Speakers of the House, all former members of the House, and all former Officers of the House are hereby extended a cordial invitation to be guests of the House of Representatives of the 101st Legislature in session on that date;

AND BE IT FURTHER ORDERED, that each individual member of the present House be charged with the duty of urging all of the members from his district to avail themselves of the opportunity of returning on "Welcome Back Day" to renew old established friendships;

AND BE IT FURTHER ORDERED, that a Committee consisting of the Speaker and three members of the House be instructed to further the plans for "Welcome Back Day".

Mr. Poirier of Lewiston presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that Representative Frank Bussiere of Lewiston has been reelected as Alderman of Ward 5, City of Lewiston, now, therefore, be it

ORDERED, that the members of the House extend their congratulations to Mr. Bussiere on his reelection.

The Order received passage.

On motion of the gentlewoman from Falmouth, Mrs. Smith, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

#### House Reports of Committees Leave to Withdraw

Mr. Carter from the Committee on Highways on Resolve Authorizing

Survey and Plans for an Interchange to the Maine Turnpike in the Town of York (H. P. 584) (L. D. 822) reported Leave to Withdraw.

Mr. Drake from same Committee reported same on Resolve Authorizing Maine Turnpike Authority to Plan and Construct Interchange to Maine Turnpike in Town of York (H. P. 583) (L. D. 821)

Mr. Gilbert from the Committee on Legal Affairs reported same on Bill "An Act relating to Apportionment of Taxes Between Town of Dedham and Lucerne-In-Maine Village Corporation" (H. P. 538) (L. D. 755)

Mr. Jewell from the Committee on Natural Resources reported same on Bill "An Act Prohibiting Use of Pesticides Near Waters of the State" (H. P. 66) (L. D. 90)

Reports were read and accepted and sent up for concurrence.

#### Ought Not to Pass Tabled and Assigned

Mr. Drake from the Committee on Highways reported "Ought not to pass" on Bill "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority" (H. P. 439) (L. D. 644)

Report was read.

(On motion of Mr. Dennett of Kittery, tabled pending acceptance of Committee Report and specially assigned for Wednesday, February 27.)

#### Tabled and Assigned

Mr. Drake from the Committee on Highways reported "Ought not to pass" on Bill "An Act Authorizing the Maine-New Hampshire Interstate Bridge Authority to Prepare Plans for Construction of an Additional Bridge and Approaches Connecting Portsmouth, New Hampshire with Kittery, Maine" (H. P. 440) (L. D. 645)

Report was read.

(On motion of Mr. Dennett of Kittery, tabled pending acceptance of Committee Report and specially assigned for Wednesday, February 27.)

Mr. Ross from the Committee on Highways reported "Ought not to pass" on Resolve Authorizing State Highway Commission to Plan and

Construct Interchange to Interstate Highway in Town of York (H. P. 582) (L. D. 820), as it is covered by other legislation.

Mr. Turner from same Committee reported same on Resolve Authorizing Survey and Plans for an Interchange to Interstate Highway in the Town of York (H. P. 276) (L. D. 370), as it is covered by other legislation.

Mr. Gilbert from the Committee on Legal Affairs reported same on Bill "An Act Prohibiting Cigarette Vending Machines" (H. P. 361) (L. D. 731)

Mr. Wellman from same Committee reported same on Bill "An Act Permitting Sunday Hunting in the Unorganized Territory" (H. P. 661) (L. D. 917)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Waterman from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Increasing the Tax on Gasoline" (H. P. 314) (L. D. 407)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from North Berwick, Mr. Cressey.

Mr. CRESSEY: Mr. Speaker, I move this L. D. 407 be placed on the table unassigned.

The SPEAKER: The gentleman from North Berwick, Mr. Cressey, moves that item 11 be tabled unassigned.

The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I request that this bill be placed on the table until Thursday of this week.

The SPEAKER: The motion of the gentleman from Bangor, Mr. Wellman, is not in order. The motion unassigned takes precedence at this time.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante, and for what purpose does the gentleman arise?

Mr. PLANTE: May I approach the rostrum?

The SPEAKER: The gentleman may not. If he has a question, he may pose it through the Chair.

Mr. PLANTE: I would like to inquire, sir, through the Chair, if a motion concerning the tabling, if the shorter period does not come up before the longer period?

The SPEAKER: The Chair will read Rule 29. When a question is under debate no motion shall be received but — to adjourn, to lay on the table, for the previous question, to commit, to postpone to a day certain, to amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged. Therefore the motion of the gentleman from North Berwick, Mr. Cressey, is in order.

For what purpose does the gentleman arise?

Mr. BERRY of Cape Elizabeth: I wish to request a division when the vote is taken.

The SPEAKER: The pending question is the motion of the gentleman from North Berwick, Mr. Cressey, that item 11 be tabled, and a division has been requested. All those in favor of the tabling motion will please rise and remain standing in their places until the monitors have made and returned the count.

A division of the House was had.

Eight having voted in the affirmative and one hundred seventeen having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that item 11 be tabled until Thursday, February 21. Is that the pleasure of the House?

The motion prevailed.

#### Ought to Pass in New Draft New Drafts Printed

Mr. Nadeau from the Committee on Highways on Resolve Authorizing State Highway Commission to Extend Approaches of any New Maine-New Hampshire Bridge to Provide Access to Interstate Highway in Town of York (H. P. 581) (L. D. 819) reported same in a new draft (H. P. 975) (L. D. 1347) under title of "Resolve Authorizing State Highway Commission to Construct Certain Highway Facilities on Interstate Highway 95 in the Towns

of Kittery and York” and that it “Ought to pass”

Mr. Cookson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Hatcase Pond in Penobscot County (H. P. 457) (L. D. 661) reported same in a new draft (H. P. 976) (L. D. 1348) under title of “Resolve Regulating Fishing in Hatcase Pond in Penobscot and Hancock Counties” and that it “Ought to pass”

Reports were read and accepted, the New Drafts read once and tomorrow assigned.

#### Ought to Pass Printed Bills

Mr. Gilbert from the Committee on Industrial and Recreational Development reported “Ought to pass” on Bill “An Act Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Bagaduce River” (H. P. 330) (L. D. 457)

Mr. Cote from the Committee on Legal Affairs reported same on Bill “An Act relating to Issuance of Certificated of Shares” (H. P. 666) (L. D. 922)

Mr. Foster from same Committee reported same on Bill “An Act Releasing Interest of State in Certain Land in Poland, Androscoggin County” (H. P. 601) (L. D. 836)

The SPEAKER: At this time the Speaker would like to recognize in the balcony of the House, twelve girls Cloverettes 4-H Club from Buckfield with Mrs. Tucker, their leader; and also Mrs. Mary Bennett, Mrs. Gladys Bennett, Mrs. Helen Adams, Mrs. Scott, and Mrs. Jack. These young people are the guests of Representative Vaughn of Peru.

On behalf of the House, the Chair extends to you a warm and very cordial welcome and we trust that you will enjoy and profit by your stay with us here today. (Applause)

Mr. Pitts from the Committee on Public Utilities reported same on Bill “An Act to Incorporate the South Berwick Sewer District” (H. P. 347) (L. D. 557)

Mr. Plante from same Committee reported same on Bill “An Act Permitting Public Utilities Commission

to Extend Time for Filing Public Utility Balance Sheets” (H. P. 391) (L. D. 590)

Mr. Rand from same Committee reported same on Bill “An Act to Increase the Borrowing Capacity of the Topsham Sewer District, to Authorize the Town to Contribute to Construction Costs and Otherwise Amend the Charter” (H. P. 303) (L. D. 396)

Mr. Taylor from same Committee reported same on Bill “An Act Amending the Charter of the Presque Isle Water District” (H. P. 67) (L. D. 91)

Mr. Brown from the Committee on Taxation reported same on Bill “An Act to Repeal the Dry Bean Tax” (H. P. 352) (L. D. 506)

Same gentleman from same Committee reported same on Bill “An Act relating to Meaning of Letters Used in State Valuation” (H. P. 354) (L. D. 507)

Mr. Cottrell from same Committee reported same on Bill “An Act relating to Definition of Domestic Fowl for Tax Purposes” (H. P. 255) (L. D. 324)

Mr. Jones from same Committee reported same on Bill “An Act relating to Revocation of Sellers’ Certificateds under Sales and Use Tax Law” (H. P. 351) (L. D. 505)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

#### Ought to Pass with Committee Amendment

Mr. Humphrey from the Committee on Appropriations and Financial Affairs on Bill “An Act Appropriating Funds for State of Maine’s Participation in the New York World’s Fair, 1964-1965” (H. P. 356) (L. D. 530) reported “Ought to pass” as amended by Committee Amendment “A” submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment “A” was read by the Clerk as follows:

COMMITTEE AMENDMENT “A” to H. P. 356, L. D. 530, Bill, “An Act Appropriating Funds for State of Maine’s Participation in the New York World’s Fair, 1964-1965.”

Amend said Bill in the 8th line of section 2 by inserting after the words “such contract” the following

punctuation and words ; however, the Governor is empowered to perform such contract only if all other New England states approve the program and appropriate the necessary funds in accordance with the existing formula'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mrs. Smith from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Renovation of Buildings and Purchase of Equipment at Northeastern Maine Vocational Institute" (H. P. 173) (L. D. 242) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 173, L. D. 242, Bill, "An Act Appropriating Funds for Renovation of Buildings and Purchase of Equipment at Northeastern Maine Vocational Institute."

Amend said Bill, in the 5th line from the end, by striking out the figure "\$408,500" and inserting in place thereof the figure '\$366,000'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

#### Tabled and Assigned

Mr. Cookson from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in Certain Waters in Piscataquis County (H. P. 213) (L. D. 282) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Dudley of Enfield, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, February 26.)

#### Tabled and Assigned

Mr. Hawkes from the Committee on Inland Fisheries and Game on Resolve Regulating Fishing in the West Branch of the Penobscot River, Piscataquis County (H. P. 214) (L. D. 283) reported "Ought to pass" as amended by Committee

Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Crommett of Millinocket, tabled pending acceptance of the Committee Report and specially assigned for Tuesday, February 26.)

#### Divided Report

##### Tabled and Assigned

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Certificates for Teaching" (H. P. 24) (L. D. 48)

Report was signed by the following members:

Messrs. BROOKS of Cumberland  
WHITTAKER of Penobscot  
HICHBORN of Piscataquis  
— of the Senate.

Messrs. McGEE of Auburn  
TREWORYG of Gorham  
LEVESQUE of Madawaska  
BRADEEN of Waterboro  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. SNOW of Jonesboro  
EASTON of Winterport  
CURTIS of Bowdoinham  
— of the House.

Reports were read.

(On motion of Mr. Easton of Winterport, tabled pending acceptance of either Report and specially assigned for Thursday, February 28.)

#### Divided Report

Majority Report of the Committee on Industrial and Recreational Development reporting "Ought not to pass" on Bill "An Act relating to Definition of Industrial Project under Maine Industrial Building Authority Act" (H. P. 104) (L. D. 148)

Report was signed by the following members:

Messrs. NOYES of Franklin  
KIMBALL of Hancock  
— of the Senate.

Messrs. LITTLEFIELD of Hampden  
HARDY of Hope  
OSGOOD of Corinna



NORTON of Caribou  
 GILBERT of Eddington  
 Mrs. KILROY of Portland  
 Mr. JOBIN of Rumford  
 — of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. LOVELL of York  
 — of the Senate.

Reports were read, the Majority "Ought not to pass" Report accepted and sent up for concurrence.

#### Divided Report

Report "A" of the Committee on Industrial and Recreational Development reporting "Ought to pass" on Bill "An Act Promoting New Industrial Plant Locations" (H. P. 279) (L. D. 373)

Report was signed by the following members:

Messrs. LOVELL of York  
 NOYES of Franklin  
 — of the Senate.

Mr. GILBERT of Eddington  
 Mrs. KILROY of Portland  
 Mr. JOBIN of Rumford  
 — of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. KIMBALL of Hancock  
 — of the Senate.

Messrs. LITTLEFIELD of Hampden  
 HARDY of Hope  
 OSGOOD of Corinna  
 NORTON of Caribou  
 — of the House.

Reports were read and, on motion of Mr. Littlefield of Hampden, Report "B" "Ought not to pass" was accepted and sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act relating to Distribution of Obscene Literature" (S. P. 114) (L. D. 342)

Bill "An Act relating to Property Tax Appeals" (H. P. 353) (L. D. 604)

Were reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed and sent to the Senate.

#### Tabled and Assigned

Bill "An Act Providing for a Two-year Motor Vehicle Operator's License" (H. P. 355) (L. D. 508)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Wellman of Bangor, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act Prohibiting Anchored Boats in Earley Salmon Pool, Piscataquis County" (H. P. 445) (L. D. 650)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

#### Third Reader Indefinitely Postponed

Bill "An Act relating to Prohibition Against Loitering on Private Property or Peeking Therein" (H. P. 888) (L. D. 1184)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Thereupon, Mr. Childs of Portland presented House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 888, L. D. 1184, Bill, "An Act Relating to Prohibition Against Loitering on Private Property or Peeking Therein."

Amend said Bill, in the Title, by striking out the word "Loitering" and inserting in place thereof the word 'Entering'; and by striking out the word "or" and inserting in place thereof the word 'and'

House Amendment "A" was adopted.

The SPEAKER: For what purpose does the gentleman arise?

Mr. TURNER of Auburn: Is it too late to talk on this bill?

The SPEAKER: The gentleman may proceed.

Mr. TURNER: Mr. Speaker and Members of the House: I do not like to be an obstructionist to good legislation but I think we have laws on the books now to take care of

this kind of a deal and it seems to me it's awfully foolish to clutter up the Statutes with any kind of a law like this. I can see where one might be out in the evening with a cat chasing a dog and they might get led astray on somebody's piece of property — and then that penalty, six months or \$500. Well, some troublemaker in the neighborhood could stir up quite a little stink and I think the proper way to handle this bill would be to move indefinite postponement; and I so move.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that item 5 be indefinitely postponed.

The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker and Ladies and Gentlemen of the House: I would like to disagree with my learned colleague as to the need for this legislation. The very existence of need has provided the motivation for the introduction of this bill and certainly there can be little question but what a void exists in our present Statutes and this legislation would fill that void. The bill as redrafted has had the full study and consideration of the Judiciary Committee, particularly from the point of view of protection of the innocent; and certainly I feel confident we can rely upon the good judgment and legal balance comprising that committee, who have carefully considered this angle and who have provided amply for that protection.

I would call particularly to the wording which has produced the amendment you have heard today, which requires an offender not only to enter upon but also to peek. It is no longer an "either or" proposition; in order for him to be guilty, he must enter upon "and peek." It would seem to me that this ties down the offense to one which clearly is offensive to our society and that this bill should be enacted, become law, fill this void, and make it possible to more speedily bring these offenders before our courts of justice.

The SPEAKER: The Chair recognizes the gentleman from South Portland, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: I am a little bit concerned with this legislation in regards to children. I don't know just where this fits in in regards to children. I certainly know that children like to peek or loiter and look into things. And to pay \$500 for a child to get in and look into somebody else's property I think is a little bit steep. I would like to ask somebody on the Judiciary Committee or my good friend, Mr. Gifford, if the children are protected under this law.

The SPEAKER: The gentleman from South Portland, Mr. Brown, poses a question through the Chair to any member of the Judiciary Committee who may answer if he so desires.

The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, I believe the juvenile who might be entering and peeking would be protected under the juvenile delinquency law, guilty of juvenile delinquency rather than this offense here.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. McGee.

Mr. MCGEE: Mr. Speaker, my opinion is that there are enough laws cluttering up the books now, that there are plenty of laws on the statutes to take care of this matter, and I notice in this new draft here that it limits itself to peeking, it doesn't seem to make any further penalty there for taking a good look, so I should think that if the law is enforced that is on the books now, we wouldn't need anything of this kind.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I move when the vote is taken it be taken by a division.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Turner, that this Bill "An Act relating to Prohibition Against Loitering on Private Property or Peeking Therein" be indefinitely postponed, and a division has been requested. All those in favor of the motion for indefinite postponement, please rise and remain standing until the

monitors have made and returned the count.

A division of the House was had. Eighty-one heaving voted in the affirmative and fifty-five having voted in the negative, the motion prevailed, the Bill was indefinitely postponed and sent up for concurrence.

Resolve Naming the Max L. Wilder Memorial Bridge at Woolwich and Arrowsic (S. P. 443) (L. D. 1152)

Resolve Regulating Fishing in Moosehead Lake, Somerset and Piscataquis Counties (H. P. 215) (L. D. 284)

Were reported by the Committee on Bills in the Third Reading, read the second time, passed to be engrossed and sent to the Senate.

#### Tabled and Assigned

Resolve Opening Carrabassett River to Fly Fishing Only (H. P. 289) (L. D. 383)

Was reported by the Committee on Bills in the Third Reading and read the second time.

(On motion of Mr. Hutchins of Kingfield, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Resolve Regulating Fishing on Part of Roach River, Piscataquis County (H. P. 375) (L. D. 548)

Resolve Regulating Fishing on Part of Kennebec River, Piscataquis County and Somerset County (H. P. 376) (L. D. 549)

Resolve Regulating Fishing in Middle Branch Pond, Piscataquis County (H. P. 458) (L. D. 662)

Resolve Regulating Fishing in Dow Pond, Piscataquis County (H. P. 459) (L. D. 663)

Were reported by the Committee on Bills in the Third Reading, Bills read the second time, passed to be engrossed and sent to the Senate.

#### Amended Bills Tabled and Assigned

Bill "An Act relating to Power of Eminent Domain of Maine State Park Commission" (S. P. 77) (L. D. 185)

Was reported by the Committee on Bills in the Third Reading.

(On motion of Mr. Wellman of Bangor, tabled pending third reading and specially assigned for Wednesday, February 27.)

Bill "An Act Revising the Maine Mining Law" (S. P. 121) (L. D. 348)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

#### Passed to Be Enacted Emergency Measure

An Act Authorizing Transfer of Property and Assets of the Trustees of East Corinth Academy (H. P. 229) (L. D. 298)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 140 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Finally Passed Emergency Measure

Resolve Regulating Fishing in Sebago Lake and Tributaries (H. P. 757) (L. D. 877)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 126 voted in favor of same and one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Enactor Tabled and Assigned

An Act relating to Premarital Medical Examinations (S. P. 144) (L. D. 421)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, relative to item 3, L. D. 421, I would move indefinite postponement of this item. It seems to me that this is a weakening of the present law in regard to medical examinations. I don't know whether it would be considered as complimentary or an insult to people over sixty but at any rate it seems to me to be a weakening of the bill as it presently exists, and I move indefinite postponement.

The SPEAKER: The gentleman from Bangor, Mr. Ewer, moves that item 3 be indefinitely postponed.

The Chair recognizes the gentleman from Gardiner, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I move that this be tabled until tomorrow.

Thereupon, the Bill was tabled pending the motion of Mr. Ewer of Bangor that it be indefinitely postponed and specially assigned for tomorrow.

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**Enactor**

**Tabled and Assigned**

An Act to Reconstitute School Administrative District No. 2 (H. P. 94) (L. D. 138)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Easton of Winterport, tabled pending passage to be enacted and specially assigned for Wednesday, February 27.)

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**Enactor**

**Tabled and Assigned**

An Act to Provide for Acceptance of Federal Funds by State Park Commission (H. P. 131) (L. D. 174)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Wellman of Bangor, tabled pending passage to be enacted and specially assigned for tomorrow.)

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**Passed to Be Enacted**

An Act relating to Reciprocity under Financial Responsibility Law (H. P. 153) (L. D. 204)

An Act relating to Payments by Baxter State Park Authority to Maine Forestry District (H. P. 162) (L. D. 211)

An Act relating to Taxes on Spirituous and Vinous Liquors Sold to Certain Instrumentalities (H. P. 237) (L. D. 305)

An Act Increasing Compensation of Trustees of Gray Water District (H. P. 244) (L. D. 312)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

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**Tabled and Assigned  
Enactor**

An Act Transferring Burial Allowance Program for Veterans from Department of Health and Welfare to Division of Veterans Affairs (H. P. 311) (L. D. 404)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mrs. Smith of Fal-mouth, tabled pending passage to be enacted and specially assigned for tomorrow.)

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**Finally Passed**

Resolve Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Lands in the Unorganized Territory (H. P. 243) (L. D. 311)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

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**Orders of the Day**

The Chair laid before the House the first tabled and today assigned matter:

HOUSE REPORT — Ought not to pass — Committee on Claims on Resolve to Reimburse City of Bangor for Support of Theresa Vallen-court (H. P. 193) (L. D. 262)

Tabled — February 12, by Mr. Minsky of Bangor.

Pending — Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Minsky.

Mr. MINSKY: Mr. Speaker and Ladies and Gentlemen of the House: I realize that I am speaking this morning in opposition to action taken by the Claims Committee. However, I do think I would like to

point out the facts involved in this situation, and point out to you what I consider the somewhat tenuous grounds on which the Claims Committee passed this out of its Committee.

The claim here is by the City of Bangor for reimbursement of \$873.80 which was spent by the city in the form of relief for Theresa Vallencourt. In 1956 the City of Bangor accepted the care of this indigent individual. It was not until 1960 that an error was discovered that she was not properly a charge of the City of Bangor. This was actually discovered when a relative of hers came to the city, also applied for aid, and with the facts revealed by the relative, a review was made of the Vallencourt matter and the error was discovered. At this time, action was taken to reimburse the city for payments made under existing law, and the City of Old Town, which should have a stake in the matter, as it turned out, promptly reimbursed the City of Bangor for its expenditure. The peculiarity of this thing is that at the moment there are evidently two different departments or divisions within the Health and Welfare Department that are involved, and evidently they don't follow the same rules or have a different set of values. One is the audits and accounts section. They evidently handle the A.D.C. portion of this. They very quickly reimbursed the City of Bangor for its expenditure in taking care of this individual. However, there still remains \$873.80 which was unpaid. This would be a state responsibility not paid for by the audits and accounts section but by the general assistance division.

Now I will quickly admit that an error was made by the City of Bangor in that it failed to file here within the 60 day period provided, and I believe this is the grounds on which the general assistance division now wishes not to pay this claim. I would point out, as I said, that one division of that department has already paid its portion, the City of Old Town has already paid its portion, and the general assistance division is the only part that has not reimbursed the city.

It was a human error on the part

of the city, they failed to file in the 60 days required. It is the first time that the city has failed in its knowledge, and it was not an intentional act. It is the same human error that I suspect could be made by any community large or small.

In view of the cooperation that we have had from the audits and accounts services and from the City of Old Town, I think that the same cooperation and assistance should be given by the general assistance division. I would therefore move at this time that the Bill be substituted for the report.

The SPEAKER: The gentleman from Bangor, Mr. Minsky, moves that the bill be substituted for the "Ought not to pass" Report.

The Chair recognizes the gentleman from Bath, Mr. Brewer.

Mr. BREWER: Mr. Speaker, the Claims Committee reported this out unanimous ought not to pass. Theresa Vallencourt first became known to the Department of Health and Welfare Division of general assistance when an application was received by the City of Old Town in November of 1960 for relief which was given Miss Vallencourt under date of November 18, 1960. A subsequent investigation of residence resulted in the opinion that Theresa Vallencourt was an unsettled case, and had no settlement in any Maine community. The resolve submitted by Bangor obviously indicates that in 1959 and part of 1960 Bangor accepted responsibility in error, and had reimbursed Old Town for previous relief given. The Department of Health and Welfare had no part in placing the responsibility on Bangor and could not assume any part of the expense represented by this resolve, which includes monies paid by Bangor to the City of Old Town.

The Committee will be faced with a number of these bills, and it was the feeling of the Committee that the City of Bangor was lax in their original investigation of this case, and when the vote is taken to substitute the bill for the report, I would ask for a division.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Minsky, that Resolve to Reimburse City of Bangor for Support of

Theresa Vallencourt be substituted for the Committee "Ought not to pass" Report. Is the House ready for the question? All those in favor of substituting the Resolve for the Report will say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Committee Report was accepted and sent up for concurrence.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act Designating Mount Desert Island as Game Management Area." (H. P. 208) (L. D. 277) — Read the Third Time.

Tabled — February 14, by Mr. Jalbert of Lewiston.

Pending — Shall Main Question be put now. (Main Question Indefinite Postponement)

Mr. PLANTE of Old Orchard Beach: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. PLANTE: I wish to discuss the pending motion which is shall the main question be put now.

The SPEAKER: The gentleman may proceed.

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: Due to the fact that this is a beautiful day and without suspending the rules, we may debate this matter until 9:00 p.m., I now urge that all of you vote against the motion, the pending motion, which is shall the main question be put now, so that everyone may have an opportunity to debate this in full this day.

The SPEAKER: This question is debatable with a time limit of five minutes to each member. Is the House ready for the question? Shall the main question be put now? All those in favor say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

The SPEAKER: The question now before the House is the motion of the gentleman from Strong, Mr. Smith, for the indefinite postponement of this bill.

The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, I made that motion the other day to indefinitely postpone this bill and I care not to debate it any longer. I only want to call attention of the House to the statement made by my worthy colleague who debated this the other day, in which he stated himself that no real crisis exists right now, and I quote him, on Mount Desert Island. If no real crisis exists right now on Mount Desert Island pertaining to this matter, then I would say with the gentleman from Auburn, who spoke on another matter a few minutes ago, Mr. Turner, let's not clutter up our statutes with unnecessary laws. I go along with that motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, this is not a momentous question. The fate of the State doesn't hinge on this simple little local affair. This bill came out of the Committee "Ought not to pass." It came out ought not to pass two years ago. Now these gentlemen on the Fish and Game Committee are picked for their judgment in matters pertaining to field, stream and forest, and I think that we should rely on their judgment. I certainly hope that the motion to indefinitely postpone does not prevail and I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, before this bill came before the House, I received a circular, "Maine's Deer and Honored Solons 1961." I have read it and I don't fully understand all that is said in the pamphlet. The deer have been able to look after themselves pretty well when they get hungry, or if there is more food than they want, they seem to know how to go to other areas, and I don't believe there is any need of running into deer on Mount Desert Island. There are signs posted along the highway and if we are obeying the road rules, we won't run into any deer.

Mount Desert Island has survived very well a number of years with-

out this bill. Half of the island is under the control of Acadia National Park. That area where hunting would be allowed can hardly be called in the Maine woods, and I would be in favor of the indefinite postponement of this article.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Wade.

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: My purpose in rising this morning is certainly not to debate at any length at all the main question before the House. The point that I would like to emphasize is that the State of Maine is spending in round figures \$250,000 annually as an expenditure for the hiring and the using of scientific knowledge in the fields of fish and game. Now my colleague from Strong, Mr. Smith, said the other day that it was a long ways from Strong down to Mount Desert, and I certainly can agree with him. Coming from Skowhegan it has been my privilege through the years to have made many, many, many visits to Mount Desert, both officially and unofficially.

Two years ago at the conclusion of the 100th Legislature there was extended to each and every member of the Legislature, both branches, a booklet that in my opinion answers all these questions that some of the people who like to debate a question that I feel sure they are not competent to debate, answers all these questions and it is unfortunate that we members in the House haven't taken the time nor expressed the interest in finding out just where our \$250,000 is going and for what purpose. And for no other reason, ladies and gentlemen of the House, no other reason than either we should as Members of the Legislature, dispense with the scientific group that we are paying this large sum of money for, or at least we should pay some heed to their findings. Mr. Speaker, I certainly hope that the motion of the gentleman from Strong does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, I rise to a point of information. Could we be told what was the report of the Committee on this bill? Was it ought to pass or ought not to pass?

The SPEAKER: For the information of the gentleman from Bar Harbor, Mr. Smith, the Committee Report was "Ought to pass."

The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I would like to make it clear at this time that I am not a deer hunter, and for that reason I am not speaking with reference to this bill.

Some years ago the island of Deer Isle was made into a game management area, and at that time we heard on the island the very self-same arguments that have been brought forth on the Floor of the House last Thursday and this morning. Some of our summer folk threatened that they were going to move away; they threatened that they would post their property; they threw up their hands and said that the gutters would run red with blood; but none of these predictions came to pass. In fact, several of the summer folk who said that they would post their property and so forth, obtained hunting licenses when the island was made into a game management area and opened, and enjoyed some of the hunting on the island.

I think that during the two years that the season was opened, due to the prolific reproduction of the deer, there were no hunting accidents; there was less poaching than there had ever been before, and the arrangement worked out very, very well. It is my personal opinion that the game management area has been very, very beneficial to our island area, and for that reason, I would like to urge that Mr. Smith's motion be defeated.

Mr. Smith of Strong was granted unanimous consent to address the House a third time.

Mr. SMITH: Mr. Speaker, I would like to call attention only to this fact, that on Stonington, there is no National Park, and on Mount Desert Island, the National Park in part does take care of this situation

of overflowing of deer. Therefore, with that National Park taking up about forty-six percent of the surface of the island, and having two men on it whose jobs are to see that the deer are thinned out properly, it is adequately taking care of the island without further legislation.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, in regard to the National Park, they have been exercising a reduction program. They are doing this from sheer force. They have to do it because of the extreme danger there is to the motoring public by the deer situation as it is today. They are not happy about this. They do not want to do it. It is something that they must do.

As far as the statement from the gentleman from Hampden, Mr. Littlefield, is concerned about it not being necessary to run into a deer, I find that it is impossible to avoid it when the time arises.

There was a game warden several years ago who very sternly reprimanded a young gentleman for running into three deer in a period of one month, and I think it was about two days after that he completely demolished his own car the same way; so I am sure that he didn't do this intentionally and it is impossible to avoid a deer that moves in front of your automobile. I certainly would hope that the motion by the gentleman from Strong, Mr. Smith, is defeated.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, in relation to the prevalence of so many deer on the island, I might state that I have been to Mount Desert Island a great number of times over a period of thirty years, and among those trips I was there with a nephew and his wife one time and I saw three deer, and my daughter went up the side of the mountain and saw one at one time. Those are the only four deer I have ever seen on Mount Desert Island in four years.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Augusta, Mr. Ross.

Mr. ROSS: Mr. Speaker, I move the previous question.

The SPEAKER: In order for the Chair to entertain a motion for the previous question, one-fifth of the membership must so express that desire. All those in favor will please rise and remain standing until the monitors have made and returned their count.

An insufficient number arose.

The SPEAKER: Not having a sufficient number, the motion does not prevail.

The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I listened intently to the usual fine remarks of the gentleman from Hampden, Mr. Littlefield, and I want to publicly congratulate him. I have hunted for about eleven years and I have seen a deer once, shot at him and missed him and went home.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Strong, Mr. Smith, that item 2 Bill "An Act Designating Mount Desert Island as Game Management Area" be indefinitely postponed, and a division has been requested. All those in favor of the indefinite postponement of this bill will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fourteen having voted in the affirmative and one hundred and fifteen having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

The Chair laid before the House the third tabled and today assigned matter:

Bill "An Act Increasing Number of Superintending School Committee of Town of Milo." (S. P. 249) (L. D. 623) — Read three times under suspension of rules.

Tabled — February 14, by Mr. Pease of Wiscasset.



Pending — Passage to be Engrossed.

Mr. Pease of Wiscasset offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to S. P. 249, L. D. 623, Bill, "An Act Increasing Number of Superintending School Committee of Town of Milo."

Amend said Bill by striking out all of the 3rd paragraph.

Further amend said Bill by striking out in the 18th and 20th lines the underlined word "may" and inserting in place thereof the underlined word 'shall'

House Amendment "A" was adopted and under suspension of the Rules the Bill was passed to be engrossed as amended in non-concurrence and without objection sent forthwith to the Senate.

On motion of Mr. Turner of Auburn, the House voted to take from the table the fifth tabled and unassigned matter:

Bill "An Act relating to Penalty for Conveyance of Land in Plats without Approval." (S. P. 109) (L. D. 337) — Read Third Time.

Tabled — February 14, by Mr. Turner of Auburn.

Pending — Passage to be Engrossed.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, I now move this be passed to be engrossed.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves this bill be passed to be engrossed.

The Chair recognizes the gentleman from Portland, Mr. Cope.

Mr. COPE: Mr. Speaker, I move this be tabled until the next legislative day.

Thereupon, the Bill was tabled pending passage to be engrossed and specially assigned for tomorrow.

Mr. CHILDS: Mr. Speaker?

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, may I inquire from the Clerk if he still has in his possession item 1 on today's calendar, which was Bill "An Act Requiring Liability Insurance for Liquor Licensees," Senate Paper 454, Legislative Document 1281.

The SPEAKER: The paper is in the possession of the House.

Thereupon, on motion of Mr. Childs of Portland, the House voted to reconsider its action of earlier in today's session whereby the Bill was referred to the Committee on Liquor Control in concurrence, and to refer the Bill to the Committee on Business Legislation in non-concurrence. Sent up for concurrence.

On motion of Mr. Wellman of Bangor, the House voted to take from the table the second tabled and unassigned matter:

Senate Joint Order Amending Joint Rule No. 1 to Provide for an Additional Senate Member of the Committee on Reference of Bills. (S. P. 409)

Tabled — February 7, by Mr. Wellman of Bangor.

Pending — Passage in Concurrence.

On further motion of the same gentleman, the Joint Order was indefinitely postponed in non-concurrence and sent up for concurrence.

On motion of Mr. Brown of Fairfield,

Adjourned until ten o'clock tomorrow morning.